

Patent Application Declaration

I HEREBY DECLARE THAT:

My residence, post office address, and citizenship are as stated next to my name in PART A on page 2 hereof.

I believe I am the original, first, and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Plasmon Resonant Particles, Methods and Apparatus

the specification of which:

- is attached hereto.
- was filed on 02/20/98 as Attorney Docket No. 2003-0001.30.
- was filed on 02/20/98 as Application Serial No. 09/027,048 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed in PART B on page 2 hereof and have also identified in PART B on page 2 hereof any foreign application for patent or inventor's certificate having a filing date before that of the application of which priority is claimed.

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed in PART C on page 3 hereof and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Please direct all telephone calls to Peter J. Dehlinger at (650) 324-0880. Address all correspondence to:

Peter J. Dehlinger
Dehlinger & Associates, LLP
P.O. Box 60850
Palo Alto, CA 94306

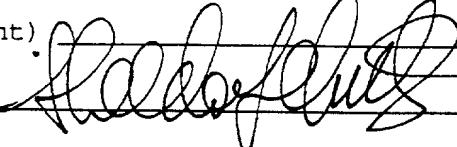
Patent Application Declaration

PART A: INVENTOR INFORMATION AND SIGNATURE

Full name of SOLE or FIRST inventor Sheldon Schultz

Citizenship U.S.A. Post Office Address 8415 Sugarman Drive
La Jolla, California 92037

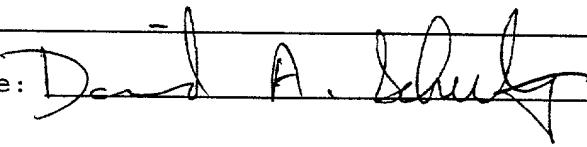
Residence (if different)

Inventor's Signature:  Date: 6/23/98

Full name of SECOND joint inventor, if any David A. Schultz

Citizenship U.S.A. Post Office Address 8415 Sugarman Drive
La Jolla, California 92037

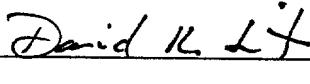
Residence (if different)

Second Inventor's Signature:  Date: 6/23/98

Full name of THIRD joint inventor, if any David R. Smith

Citizenship U.S.A. Post Office Address P.O. Box 948532
La Jolla, California 92037

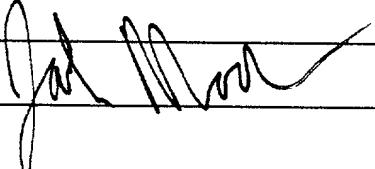
Residence (if different)

Third Inventor's Signature:  Date: 6/23/98

Full name of FOURTH joint inventor, if any Jack J. Mock

Citizenship U.S.A. Post Office Address 2041 Del Mar Heights Road
Del Mar, California 92037

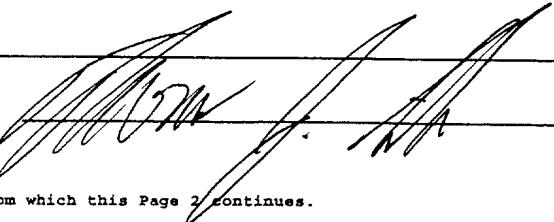
Residence (if different)

Fourth Inventor's Signature:  Date: 6/23/98

Full name of FIFTH joint inventor, if any Thomas J. Silva

Citizenship U.S.A. Post Office Address 34106 Gap Road
Golden, Colorado 80403

Residence (if different)

Fifth Inventor's Signature:  Date: 6/23/98

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PART B: PRIOR FOREIGN APPLICATION(S)

Serial No.	Country	Day/Month/Year Filed	Priority Claimed
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

PART C: CLAIM FOR BENEFIT OF FILING DATE OF EARLIER U.S. APPLICATION(S)

Serial No.	Filing Date	Status:	
60/038,677	02/20/97	<input type="checkbox"/> Patented <input checked="" type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Pending	<input type="checkbox"/> Abandoned <input type="checkbox"/> Abandoned